



P.O. Box 563, Concord, N.H. 03302

SEP 27 2001

September 17, 2001

Mr. Lake H. Barrett, Acting Director  
Office of Civilian Radioactive Waste Management  
Department of Energy  
Washington, DC 20585

**Re: National Waste Repository**

Dear Mr. Barrett:

I am writing as president of the Campaign for Ratepayers' Rights, a New Hampshire citizens organization concerned with advocating for the interests of electric customers in this state. We have been an active participant in issues pertaining to the adequate funding of nuclear decommissioning currently being determined by the New Hampshire Nuclear Decommissioning Finance Committee. This Committee is chaired by the Hon. Douglas Patch, to whom you wrote on August 27, soliciting comments on the Secretary's possible recommendation of the Yucca Mountain site as the nation's sole repository for spent nuclear fuel from civilian reactors.

Although I am not in a position to comment on all the areas which you suggested, I would like to provide general comments that concern many of them.

We believe the effort to license Yucca Mountain was compromised from the outset by the political decision to foreclose any consideration of alternative sites. This caused the Department to face an intractable dilemma: either find the Yucca site acceptable, or fail in its mission to provide, at taxpayer and ratepayer expense, a permanent waste repository. Clearly, the pressure to find the site acceptable will inevitably bias the assessment of the scientific inquiry, even if inadvertently.

In addition, we believe Yucca suffers from an inherent problem unrelated to the issues of geology and seismology: the fact that it is in the far western United States, while by far the greatest volume of spent nuclear fuel, and other civilian nuclear waste, is in the eastern half of the country. This means that utilization of Yucca requires massive amounts of transportation of

1

deadly materials across much of the country. Much of this transport will have to pass through critical choke points, such as St. Louis. Thus, the risks of utilizing Yucca Mountain clearly extend beyond the issue of groundwater infiltration and seismic activity that have been reported.

We believe that, instead of proceeding further with Yucca Mountain at this time, there should be a comprehensive re-evaluation of the nation's nuclear waste policy, starting with the present classification system and a thorough examination of all reasonable alternatives, including alternative to geologic disposal.


Given the fact that no nuclear plants have been ordered since 1973 that have actually been constructed, that none are either licensed for construction or under construction at this time, and that all nuclear plants presently have on site storage either through spent fuel pools or dry casks, there is now time for a more comprehensive and deliberate examination of the problem of long term disposal of nuclear waste.

Finally, it is our understanding that, even if licensed and constructed, Yucca Mountain would need to be supplemented with facilities or systems for additional nuclear waste storage, at least if, as is currently proposed, new nuclear plants are to be licensed for operation. It is our understanding that, in legislation proposed earlier this year, some funding for a second repository in the eastern part of the United States was contemplated. Any such proposal would of course be extremely controversial, as the last search for an eastern site (which focused on deep granite formations in central New Hampshire) demonstrated.

This again indicates that it is time, indeed long past time, for a comprehensive review of the nation's nuclear waste policy instead of proceeding with the effort to license Yucca Mountain in the face of overwhelming opposition in the State of Nevada. Any such review should include consideration of whether the further production of nuclear waste through the use of fission to generate electricity is indeed consistent with the best long term interests of the citizens of this country.

Thank you for considering these comments.

Campaign for Ratepayers' Rights, by



Robert A. Backus, Esq.  
President

cc. Senators Gregg and Smith, Congressmen Bass and Sununu  
Hon. Douglas Patch and members of the NH Nuclear Decommissioning Finance Committee